

Translation

PATENT COOPERATION TREATY

PCT

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Rec'd PCT/PTO

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| Applicant's or agent's file reference JSONY-432PCT | FOR FURTHER ACTION See Form PCT/IPEA/416 | |
| International application No. PCT/JP2003/011659 | International filing date (day/month/year) 11 September 2003 (11.09.2003) | Priority date (day/month/year) 01 October 2002 (01.10.2002) |
| International Patent Classification (IPC) or national classification and IPC H04B 7/26, H04L 12/28 | | |
| Applicant SONY CORPORATION | | |

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

| | |
|---|--|
| Date of submission of the demand 12 February 2004 (12.02.2004) | Date of completion of this report 16 November 2004 (16.11.2004) |
| Name and mailing address of the IPEA/JP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/011659

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ The international application as originally filed/furnished
- ☐ the description:
- pages _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the claims:
- pages _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the drawings:
- pages _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/JP 03/11659**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

| | | | |
|-------------------------------|--------|-----|-----|
| Novelty (N) | Claims | 1-4 | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | | YES |
| | Claims | 1-4 | NO |
| Industrial applicability (IA) | Claims | 1-4 | YES |
| | Claims | | NO |

2. Citations and explanations

Document 1: JP 2002-171548 A (NTT DoCoMo Inc.), 14 June 2002, entire text, all drawings

Document 2: JP 2001-128207 A (NTT DoCoMo Inc.), 11 May 2001, entire text, all drawings

Document 3: JP 2000-253180 A (Toshiba Corp.), 14 September 2000, entire text, all drawings

Document 1 cited in the international search report discloses features of a multicast service-providing method for distributing multicast data to a wireless terminal from a wireless base station, wherein handover of a wireless terminal receiving distribution of multicast data is performed, and wherein a given wireless base station provides information in the form of a multicast management table that includes information pertaining to multicast data being distributed by another wireless base station adjacent to the wireless base station and information pertaining to the multicast data the wireless base station is itself distributing.

Document 2 cited in the international search report discloses features of a mobile communications system for distributing programming to a mobile unit using a multicast service, including a flowchart showing the

processing sequence at a switchboard when an existing call is terminated (fig. 6), and a flowchart showing the processing sequence at the switchboard when there is a request for a new call (fig. 12). The flowchart shown in fig. 12 indicates that when there is a request for a new call, a search for a zone in which the new call can be connected is performed in step S11, a determination as to whether programming is being distributed in a connectable zone over the channel corresponding to the call request is performed in step S12, and when programming is being distributed, an accommodation zone is selected in step S14.

It would be obvious to a person skilled in the art to use as an occasion for handover the weakening to or below a specified level of a radio signal received from the base station in the zone prior to movement, and to provide on a wireless communications terminal a function for selecting a base station when handover is performed.

Further, in general when performing a handover, the termination of a mobile unit's call in the zone prior to movement, and the selection of a post-movement zone and establishment of the call in that zone, are performed as a matter of course.

Therefore, when performing a handover, carrying out selection of a base station at a wireless communications terminal according to the same concept as the one demonstrated in S11, S12, and S14 disclosed in document 2 cited in the international search report would be obvious to a person skilled in the art.

Accordingly, the inventions described in claims 1 and 3 are obvious in the light of documents 1 and 2 cited in the international search report, and thus, do not involve an inventive step.

Claims 2 and 4

Document 3 cited in the international search report discloses content consisting of, for example, moving pictures, audio, and multimedia content; therefore, the inventions described in claims 2 and 4 are obvious in the light of documents 1 to 3 cited in the international search report, and thus, do not involve an inventive step.